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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,881	02/23/2004	Takayuki Iida	2091-0310P	7100
2292 7590 05/01/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER				
GILES, NICHOLAS G				
ART UNIT		PAPER NUMBER		
2622				
NOTIFICATION DATE		DELIVERY MODE		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/782,881

Applicant(s)

IIDA ET AL.

Examiner

NICHOLAS G. GILES

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The amendment to the title is accepted.

Response to Arguments

2. Applicant's arguments with respect to claims **1-8** have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims **1-8** are rejected under 35 U.S.C. 103(a) as being unpatentable over Weston et al. (U.S. Patent No. 6,608,563) in view of White (U.S. Pub. No. 2004/0201702).

Regarding claim 1, Weston discloses:

An image management system comprising: a plurality of photographing systems (cameras and associated readers); a storage means (6:27-35); and a managing means (indexing 6:27-35), wherein each of the photographing systems is connected to the storage means (6:27-35), each of the photographing systems has (i) a second communication means for receiving identification information for identifying a subject (readers 420 reading UGIN or UPIN 3:38-44)

transmitted from a first communication means carried by said subject (RFID tag), (ii) a photographing means installed at a particular location for obtaining a first image data representing an image of said subject by photographing said subject (cameras 410 Fig. 4), and (iii) a first sending means (6:27-35) for sending to the storage means (a) said identification information received by said second communication means and said first image data (6:30-35), (c) installation site information that indicates the particular location of said photographing means (5:40-6:47, information of location for the type of scene must be known in order to correctly make the comic correctly), and (d) said first image data (6:30-35),

said storage means stores said first image data outputted from each of said plurality of photographing systems with said identification information received by said second communication means (6:30-35 and 3:60-62), and said installation site information that is related thereto (5:40-6:47), and said managing means manages said first image data by sorting said first image data by each of said identification information (6:27-47).

Weston et al. is silent with regards to a camera image obtaining system including an imaging device carried by the subject and sending identification information, date and time, and send image data as well as storing date and time with the first image data. White discloses:

Storing date and time with images, and sorting by date and time (¶10030).

White discloses in ¶0030 that storing date and time information with images is advantageous in that the images can be categorized based on the date and time that they were taken or any other entered user information. For this reason it would have been obvious to one of ordinary skill in the art at the time the invention was made to have Weston include date and time information with images and sorting images by date and time.

White further discloses:

At least one camera image obtaining system connected to a storage means (computer station 200), having a third communication means (wireless connection of computer ¶0025) for receiving identification information (user information or codes ¶0030) transmitted from a first communication means (wireless connection of camera ¶0025), an image obtaining means (image obtaining means of camera ¶0023) for obtaining a second image data which is transmitted from an imaging device carried by said subject (¶0041) and that is different from said photographing means in said photographing systems (user carried), the second image data including the date and time information of photographing of said second image data (¶0030), and a second sending means for sending said identification information received by said third communication means and said second image data (¶0024-0025),

the storage means storing said second image data transmitted from said at least one camera image obtaining system with said identification

information received by said third communication means that is related thereto, and a managing means for managing image data by sorting said image data by each of said identification information (0024-0025 and ¶0030).

As can be seen in ¶0033 that using this setup is advantageous in that users taking images can have them categorized according to determination of specific locations and date and time that the images were taken. Note that this is similar to White is that images are sorted according to location. For this reason it would have been obvious to one of ordinary skill in the art at the time the invention was made to have White include an imaging device carried by the subject and sending identification information, date and time, and other user information.

Regarding claim **2**, see the rejection of claim 1 and note that Weston et al. further discloses:

First communication means is a long-range wireless tag (3:50-54).

Regarding claim **3**, see the rejection of claim 1 and note that Weston et al. further discloses:

System is installed in a theme park (3:38-44).

Regarding claim **4**, see the rejection of claim 1 and note that Weston et al. further discloses:

Photographing means implements said photographing of said subject by operating said first communication means (7:26-37 and 6:27-35).

Regarding claim 5, see the rejection of claim 1 and note that Weston et al. further discloses:

Photographing means automatically implements photographing of said subject identified by said identification information (6:27-35).

Regarding claim 6, see the rejection of claim 5 and note that Weston et al. further discloses:

Photographing means locks on to said subject identified by said identification information to automatically implement photographing of said subject (6:27-35, locking on is the identification of the subject in the image).

Regarding claim 7, see the rejection of claim 1 and note that Weston et al. further discloses:

Storage means stores said first image data with said identification information, by describing said identification information, and installation site information that is related thereto on a tag of said image data (6:27-35).

Note that time, date, and installation site information has already been established in the rejection of claim 1.

Regarding claim 8, see the rejection of claim 1 and note that Weston et al. is silent with regard to sorting the images based on date and time. White discloses this in ¶0030. An advantage to doing so is that a person viewing the images can quickly locate an image of interest from a group of images. For this reason it would have been

obvious to one of ordinary skill in the art at the time the invention was made to have Weston sort images by date and time.

Allowable Subject Matter

5. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 9, no prior art could be located that teaches or fairly suggests using at least two files of first image data, one before and one after the sorted second image data and deducing a location of the second image data based on the installation site information related to the before and after first image data in combination with the rest of the limitations of the claim.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NICHOLAS G. GILES whose telephone number is (571)272-2824. The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2622

/Lin Ye/
Supervisory Patent Examiner, Art Unit 2622